

1 PHILLIP A. TALBERT
United States Attorney
2 BRITTANY M. GUNTER
Assistant United States Attorney
3 2500 Tulare Street, Suite 4401
Fresno, CA 93721
4 Telephone: (559) 497-4000
Facsimile: (559) 497-4099
5 Attorneys for Plaintiff
6 United States of America

7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,

13 v.

14 MARCUS JAMES TATUM,
15 Defendant.

CASE NO. 1:20-CR-00255-NODJ-BAM

PRELIMINARY ORDER OF
FORFEITURE

16
17 Based upon the plea agreement entered into between the United States of America and defendant
18 Marcus James Tatum, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

19 1. Pursuant to 18 U.S.C. § 2253(a), defendant Marcus James Tatum's interest in the
20 following property shall be condemned and forfeited to the United States of America, to be disposed of
21 according to law:

- 22 a. Toshiba laptop computer, serial number ZB207621Q with charging cable, and
23 b. Cellular phones, SD cards, compact discs, DVDs, hard drives, or other electronic
24 storage devices containing visual depictions of minors engaged in sexually explicit
25 conduct.

26 2. The above-listed property constitutes property that contains visual depictions produced,
27 transported, mailed, shipped or received in violation of 18 U.S.C. § 2252(a)(2); and is property that was
28 used or intended to be used to commit and to promote the commission of the aforementioned violation.

1 3. Pursuant to Rule 32.2(b), the Attorney General (or a designee) shall be authorized to seize
2 the above-listed property. The aforementioned property shall be seized and held by the Federal Bureau
3 of Investigation, in their secure custody and control.

4 4. a. Pursuant to 18 U.S.C. § 2253(b), incorporating 21 U.S.C. § 853(n), and Local Rule
5 171, the United States shall publish notice of the order of forfeiture. Notice of this Order and notice of
6 the Attorney General's (or a designee's) intent to dispose of the property in such manner as the Attorney
7 General may direct shall be posted for at least 30 consecutive days on the official internet government
8 forfeiture site www.forfeiture.gov. The United States may also, to the extent practicable, provide direct
9 written notice to any person known to have alleged an interest in the property that is the subject of the
10 order of forfeiture as a substitute for published notice as to those persons so notified.

11 b. This notice shall state that any person, other than the defendant, asserting a legal
12 interest in the above-listed property, must file a petition with the Court within 60 days from the first day
13 of publication of the Notice of Forfeiture posted on the official government forfeiture site, or within 30
14 days from receipt of direct written notice, whichever is earlier.

15 5. If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court
16 will enter a Final Order of Forfeiture pursuant to 18 U.S.C. § 2253(a) in which all interests will be
17 addressed.

18 IT IS SO ORDERED.

19
20 Dated: **January 3, 2024**


UNITED STATES DISTRICT JUDGE